

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS**

DIVISION: MARSHALL

JUDGE: WILLIAM BRYSON

ALLERGAN, INC.

Plaintiff

TEVA PHARMACEUTICALS USA, INC., ET AL

Defendant

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DATE: 8//28/17

REPORTER: Shelly Holmes

CIVIL NO.: 2:15CV1455

C/R DEPUTY: Jill Veazey

Begin: 8:30, 1:38

Adjourn: 12:37, 6:03

Total Time in Court: **8 HRS 32 MINS**

Attorneys for Plaintiff: Jonathan Singer, Juanita Brooks, Claire Henry, Susan Morrison, Nitika Fiorella, Robert Oakes

Attorneys for Claimant: J.C. Rosendall, Mike Joffre, Doug Carston, Stephen Smerek, Michael Dzwonczyk, Mark Bolland, Jason Hamilton

THIS DAY CAME THE PARTIES BY THEIR ATTORNEYS AND THE FOLLOWING PROCEEDINGS WERE HAD: **BENCH TRIAL – DAY 1**

8:30 Court begins. Court gives opening remarks. Court addresses objections to exhibits.

Court has read plaintiff's and defendant's opening statements.

8:33 Mr. Singer addresses Court regarding trial procedures. Court responds.

8:35 Mr. Singer calls Dr. Rhett Schiffman to testify. Witness sworn. Direct by Mr. Singer.

9:10 Pltf Exhibits 975 & 16 A Marked & Admitted.

9:28 Pltf Exhibits 29, 30, 963 Marked & Admitted.

9:52 Pltf.Exhibit 32 Marked & Admitted.

9:59 Pltf Exhibit 2A Marked & Admitted.

10:20 Court recessed.

10:34 Court resumed. Cross-Exam by Mr. Rozendaal.

10:46 Deft Exhibit 1018 Marked & Admitted.

10:52 Deft Exhibit 1017 Marked & Admitted.

11:47 Re-Direct by Mr. Singer.

11:49 Witness excused. Court addresses parties regarding witness scheduling.

11:50 Ms. Brooks calls Dr. Orest Olejnik to testify. Witness sworn. Direct by Ms. Brooks.

DAVID O'TOOLE, CLERK

/s/ Jill Veazey

Deputy Clerk

✓ See Addt'l. Proceedings

11:59 Deft Exhibit 1013 Marked & Admitted. Pltf Exhibit 164 Marked & Admitted.  
12:20 Pltf Exhibit 959 Marked & Admitted.  
12:37 Court recessed.  
1:38 Court resumed. Cross-Exam by Mr. Joffre.  
1:57 Deft Exhibit 1027 Marked & Admitted.  
2:19 Re-Direct by Ms. Brooks. 2:30 Court addresses witness. 2:35 Witness excused.  
2:36 Mr. Singer calls Dr. Shulin Ding to testify via video deposition. Playback of video depo.  
2:48 Mr. Singer calls Dr. Brenda Reis to testify. Witness sworn. Direct by Ms. Morrison.  
2:55 Pltf Exhibit 16B Marked & Admitted. 2:59 Pltf Exhibit 16C Marked & Admitted.  
3:04 Pltf Exhibit 16D Marked & Admitted. 3:10 Pltf Exhibits 172A Marked & Admitted.  
3:22 Pltf Exhibit 172B Marked & Admitted. Pltf Exhibits 998, 16E, 16F Marked & Admitted.  
3:33 Court recessed.  
3:50 Court resumed. Cross-Exam by Mr. Boland.  
4:32 Re-Direct by Ms. Morrison. 4:43 Court addresses witness. 4:46 Witness excused.  
Mr. Boland offers defts exhibits. Deft Exhibits 1070, 1071, 1219, 1349, 1038 Marked & Admitted.  
4:47 Mr. Singer calls Dr. Diane Tang-Liu to testify. Witness sworn. Direct by Mr. Oakes.  
4:48 Pltf Exhibits 1, 7, 9, 11 Marked & Admitted. 4:53 Pltf Exhibit 220 Marked & Admitted.  
4:57 Pltf Exhibit 205 Marked & Admitted. 5:02 Pltf Exhibit 16G Marked & Admitted.  
5:12 Pltf Exhibit 175 Marked & Admitted. Pltf Exhibit 16H Marked & Admitted.  
5:21 Pltf Exhibit 108 Marked & Admitted.  
5:30 Cross-Exam by Mr. Hamilton. 5:42 Re-Direct by Mr. Oakes. Deft Exhibit 1088 Marked & Admitted.  
5:45 Witness excused. Mr. Singer calls Dr. Andrew Acheampong to testify by Video Deposition. Playback of video depo.  
5:55 Mr. Singer calls Dave Power to testify by Video Deposition. Playback of video depo.  
6:01 Court addresses parties.  
6:03 Court adjourned.